

## ACT 213

S.B. NO. 1383

A Bill for an Act Relating to Homeless Programs.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 346, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§346- Homeless shelter stipends.** (a) As used in this section, unless the context requires otherwise:

“Emergency shelter” means a shelter facility designed to provide emergency shelter, and appropriate and available services to the homeless for up to six weeks.

“Homeless shelter stipend” means a payment on behalf of a homeless household to assist with shelter and service payment to a provider agency.

“Provider agency” means an organization, including its board and officers and any employees, contractors, or agents, contracted by the director to provide labor and services to any homeless facility, or any other program for the homeless authorized by this chapter, that has been:

- (1) Qualified as a charitable organization under section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and
- (2) Qualified by the director to operate and manage a homeless facility, or any other program for the homeless authorized by this chapter, pursuant to standards and criteria established by duly adopted rules for eligibility and classification.

“Transitional shelter” means a shelter facility designed to provide transitional shelter, and appropriate and available services to homeless families for up to eighteen months, pursuant to rule.

(b) Prior to July 1, 1992, homeless shelter stipends at transitional shelters shall not exceed \$350 per household unit of four members per month. Prior to July 1, 1992, the stipend for emergency shelters shall not exceed \$10 per person per night. The stipend limits shall be adjusted by the director on July 1, 1992, and each July 1st thereafter, based on the change in the consumer price index for Honolulu for the preceding calendar year, rounded off to the nearest dollar. The director may adopt rules pursuant to chapter 91 to establish exceptions to the stipend limits, based on special circumstances.

(c) The director may make or may contract to make homeless shelter stipend payments on behalf of one or more homeless families to a provider agency operating or managing an emergency or transitional shelter in such amounts and under such circumstances as provided by rule.

(d) In making homeless shelter stipend payments to a provider agency, the director may establish minimal services to be provided by the provider agency to homeless families at the agency's shelter. The director may also direct provider agencies to establish and manage a savings account program as described in subsection (e). Additionally, the director may direct provider agencies to subcontract for outreach services from other private agencies specializing in programs for the unsheltered homeless.

(e) Provider agencies may establish and collect shelter and services payments from homeless families in excess of the amount received in homeless shelter stipend payments pursuant to rule. Provider agencies may also set aside a portion of the payments in a savings account to be made available to homeless families when these families vacate the shelter.

(f) Selection of provider agencies to receive homeless shelter stipends shall not be subject to chapters 42, 102, or 103; provided that the selection of provider agencies receiving homeless shelter stipends shall be subject to rules adopted pursuant to chapter 91, which ensure compliance with Article VII, Section 4 of the Constitution of the State of Hawaii."

SECTION 2. New statutory material is underscored.<sup>1</sup>

SECTION 3. This Act shall take effect on July 1, 1991.

(Approved May 31, 1991.)

**Note**

1. Edited pursuant to HRS §23G-16.5